

**United States Bankruptcy Court
Eastern District of Pennsylvania**

In re:

Tri-State Paper, Inc.,
Debtor.

Case No. 23-13237-pmm

Chapter 11

Debtor's Motion to Approve Balloting Procedure for Plan Voting

AND NOW, Debtor Tri-State Paper, Inc., by and through its attorney, moves this Court to approve a balloting procedure that will enable eligible parties to vote on approval of the chapter 11 plan. In support of this motion, the Debtor states as follows:

1. The Debtor is preparing to file a chapter 11 plan on or before January 25, 2024.
2. When it comes time to consider confirmation of the plan, the Debtor must solicit votes for acceptance or rejection of the plan from eligible claimholders and equity security holders.
3. Conventionally, debtors and other plan proponents send paper ballots to eligible parties and wait for them to be returned through the mail.
4. But the mail is not as reliable or as fast as it used to be.¹
5. It is in the best interests of the Debtor and creditors to allow voting in a manner that can reduce the risk of ballots getting lost in the mail or arriving long after they were sent.
6. The Debtor believes that it can facilitate a more secure, accurate, and efficient vote if permitted to send and receive ballots by electronic means.
7. For this purpose, the Debtor intends to use Adobe Sign, a reputable commercially available electronic signature service that employs industry-standard encryption and is compliant with the Electronic Signatures in Global and National Commerce Act, 15 U.S.C. ch. 96.²
8. For those reasons, the Debtor hereby requests approval of the balloting procedure outlined in the proposed form of order.

¹ Jamie Horwitz, *Angry about late, erratic, missing mail and long delays at the postal counter? Postal Workers feel your pain and say the USPS must do better* (2023), <https://apwu.org/press-release/angry-about-late-erratic-missing-mail-and-long-delays-postal-counter-postal-workers> (last visited Nov 21, 2023).

² Adobe Inc., *Adobe Acrobat Sign Security Overview* (2023), <https://www.adobe.com/content/dam/cc/en/trust-center/ungated/whitepapers/doc-cloud/acrobat-sign-security-overview.pdf> (last visited Nov 22, 2023).

NOW, THEREFORE, the Debtor asks this Court to grant relief in the form of order attached and to grant such other relief in its favor as may be necessary and proper under the law.

Date: November 22, 2023

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